ТРЫМАЙСЯ ПРАЎДЫ!

АБАЖУР

ГА «БЕЛАРУСКАЯ АСАЦЫЯЦЫЯ ЖУРНАЛІСТАЎ»
THE BELARUSIAN ASSOCIATION OF JOURNALISTS
№ 1 (125) 2019



Вольга Корсун, стваральніца HrodnaMediaRoom, кіраўнік лепшай філіі БАЖ па выніках года:

«Мы зрабілі ўнікальную інфармацыйную пляцоўку для абмену думкамі, меркаваннямі, сустрэчаў з вядомымі журналістамі і блогерамі».

Volha Korsun, the founder of HrodnaMediaRoom who chairs the BAJ's Hrodna branch, the holder of the Branch of the Year title:

"We have created a unique information platform for exchanges of thoughts and opinions and meetings with prominent journalists and bloggers".

Эстафету добрых спраў, якая доўжыцца ўжо два гады, падхапілі сябры БАЖ у дзясятках гарадоў і мястэчак краіны.

Журналісты праводзяць дабрачынныя акцыі, прыбіраюць наваколле ды памятныя месцы, праводзяць літаратурныя конкурсы і спрыяюць дабрачыннаму выдавецтву, ладзяць народныя святы.



Супрацоўнікі «Чыстага Слуцка» і «Курьера» зладзілі прыборку ў наваколлі.

Фота Вікторыі Капскай

Journalists of *Čysty Sluck* and *Kurjer* do a cleanup.

Photo by Viktoryja Kapskaja

Журналісты і спартоўцы з Баранавіч дапамаглі прытулку «Мілосердіе»

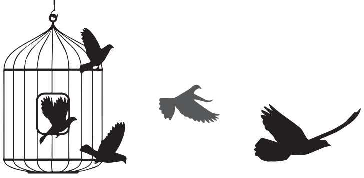
Journalists and athletes in Baranavičy provide assistance to the “Miloserdiye” shelter















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№ 1 (125) 2019

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У адпаведнасці з Законам «Аб сродках масавай інфармацыі» аўтары нясуць адказнасць за падбор і дакладнасць фактаў, прыведзеных у артыкулах.

Рэдакцыя можа публікаваць матэрыялы ў парадку абмеркавання, не падзяляючы пункту гледжання аўтараў.

STAND



By Vladimir Dziouba

The year 2018 will be remembered by the pro-democracy journalist community in Belarus as a year that saw an unprecedentedly large number of instances of freelance journalists being charged and sentenced for contributing to foreign media outlets. There were more than 100 such instances.

The year will also be remembered for arrests of journalists in a so-called BElTA case. More than a dozen journalists, including the editors in chief of tut.by and BelaPAN, were charged in the case for allegedly getting unauthorized access to the paid-subscriber section on the website of the government's news agency BELTA. This was not something new for us, the reporters who write "wrong" stories and publish "wrong" photographs. We had already experienced arrests, false allegations by policemen, "rubber-stamped" court rulings, fines, jail terms, days in detention centers in Minsk and Žodzina, and "restricted freedom" sentences.

Many things have happened in the past 25 years, but we have not got accustomed to such treatment by authorities, not to speak of giving in.

The reason is simple: we have decency and an intention to tell the truth, and an understanding that if we once betray our principles and beliefs, we will turn into minions serving authorities and have to say goodbye to the profession.

The standoff has been lasting for two decades. Hundreds of non-state journalists and thousands of Belarusians who are concerned about what is going on in the country have been subjected to persecution over this period. Many people have passed away before their time. Their fates are like a broken string, but we remember each of them.

The Belarusian Association of Journalists and non-state media organizations constantly remind the authorities of the abduction and murder of Zmicer Zavadski and the murder of Veranika Čarkasava and demand an impartial investigation. Many years have passed, but we have not received a clear answer as to what happened to them. The perpetrators have not yet been identified and brought to justice. We also do not know who killed Belarusian journalist Pavel Šaramet, a member of our association, in Kyiv.

OFF



Photo by Siarhej Balaj, BelaPAN

The Belarusian Association of Journalists (BAJ) aims to support the high standards of the journalism profession and defend the legitimate rights and interests of the organization's members. That is why the BAJ's efforts focus on the democratization of regulations governing media activities, the strengthening and development of the organization's legal department, and the arrangement of various training programs for journalists.

Thanks to this work, many young journalists choose censorship-free journalism and prefer to work for non-state media outlets. Unfortunately, there are not enough such media outlets in Belarus, but they work hard to offer unbiased and accurate information to the public.

Work for non-state media outlets is connected with risks and stresses. That is why advice given by psychologists during training seminars often helps some journalists get rid of negative thoughts and avoid professional exhaustion.

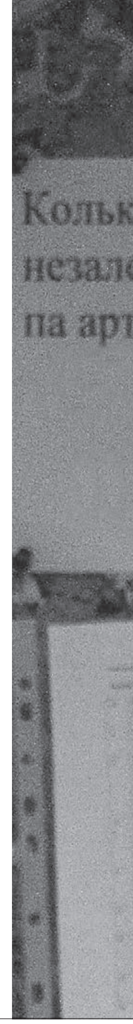
In addition, the BAJ holds various events every year for this purpose. For instance, we annually hold a festival called "BAJynki" during which we spend a few days entertaining ourselves and trying to forget problems. As a rule, the festival takes place in woods or the countryside and features sports competitions, games and various contests. We also offer kayak tours on rivers in the Palessie region, during which journalists gather information about local people's life in areas far away from the capital city and pick up garbage on river banks.

Every year the BAJ holds a contest called Volnaje Slova (Free Speech). The jury names the winners in the categories News Reporting, Analytical Journalism, Non-fiction Literature, Investigative Journalism and Debut. Such contests contribute to the professional growth of both beginners and experienced journalists.

On the initiative of the BAJ's branches in the provinces, we have, for several years, conducted a campaign called "Relay of Good Deeds." Within the framework of the campaign, journalists raise money from sponsors and deliver gifts and give concerts at orphanages and retirement homes before Christmas. Of course, charitable activities are not our top priority, but in this respect I would like to recall that the BAJ once created two "prison" libraries, one of them in an "open-type" correctional institution (facility for people serving corrective labor terms) in the Homiel region and the other in a correctional facility in Žodzina, where journalists convicted for alleged offenses were held. With the help of readers of non-state newspapers, we twice collected several hundred books, mostly fiction literature.

Meanwhile, life goes on. And so does the endless story of authorities' persecution against journalists. The time will come when this story will be read by the children of those who are persecuted and those who persecute. They will draw conclusions based on their parents' actions and the moral values and principles inherited from their parents. It is them who will judge our era, not those who are currently in power.

Many articles in this *Abajur* issue are in English. This was a request from our foreign friends, who wanted to get a clear idea of the situation and developments in the media sector in Belarus. We are grateful to them for this. We highly value our partnership relations with journalist and human rights organizations in Scandinavian countries, Western Europe, Latvia, Poland and Ukraine.



An interview with the chairman
of the Belarusian Association
of Journalists (BAJ) Andrej Bastuniec,
Interviewed by Volha Chvoin

Andrej Bastuniec: Non-state Media Help People Make Conscious Choice on Basis of True Information

Andrej Bastuniec, has been engaged in human rights activities for many years. He graduated as a lawyer and, while working as a journalist, represented non-state media organizations in court. He was one of the authors of legal manuals for media workers and put forward proposals to democratize regulations governing the media.

Q: The year 2018 brought a lot of challenges for the pro-democracy journalist community. Did the community manage to overcome them? How successful was the Association in implementing its plans?

A: Yes, the year was very difficult for us. It is enough to mention the authorities' practice of blocking access to websites, the BELTA case, the persecution of freelance journalists for their contributions to foreign media outlets, the felony tax evasion charge against BelaPAN Director General Alies Lipaj, which was dropped only after his death.

A total of 15 journalists were charged in the BELTA case. The editor in chief of tut.by, one of the most popular online Belarusian news sources, remains charged in the case. Experts believe that the Criminal Code article used against journalists in the case can only be applied to hackers.

Authorities strengthened persecution against journalists working for foreign media outlets without accreditation. Given these circumstances, it is clear that the Association prioritized the protection of journalists' rights. This was called the top priority for the BAJ at our general conference held in April 2018.

However, we also actively worked in other spheres. In particular, we monitored the situation regarding freedom of expression, ran training programs and informed the public about developments in the media sector through our website and our bulletin Abajur.

The BAJ remains a major source of information about the situation in the media sector for our partners, which include influential international organizations that monitor the



Photo by Valiancina Ziankova

situation with regard to freedom of expression and media freedom.

We got involved in the human rights dialogue between Belarus and the European Union. I should note that unlike in other countries, civil society activists in Belarus have the opportunity not only to monitor the dialogue, but also to express their thoughts and suggestions, including about issues concerning freedom of expression. And we raise the issues we are talking about now within the framework of this Belarus-EU dialogue and on other negotiation platforms.

Q: The media landscape has significantly changed. New people with different views and interests have come into journalism. Do you have an idea as to what should be done for the development of the BAJ?

A: A development strategy for our organization was adopted in 2015. We updated it at the last general conference, but our priorities remain unchanged.

The BAJ is primarily a human rights organization. And while there are challenges to the journalist community, we will respond to them, although I would like to stress that this is only one of the areas for our work.

At present we also do a lot to educate and train journalists and inform the public about the state of freedom of expression.

Apart from running training programs, the BAJ provides legal advice, advance the interests of non-state media outlets and journalists in Belarus and abroad, defends the interests of the media when regulations are drafted and discussed, propose alternative bills, conducts solidarity campaigns and does many other things.

We took part in the development of a strategy for the non-state media sector of Belarus for the period from 2019 to 2024.

I would like to stress that this is not the BAJ's strategy. The non-state media sector comprises non-state media outlets, non-governmental organizations, independent experts, advertising agencies, non-state IT service providers and so on. The main purpose of the strategy is to

help Belarusians make a conscious choice on the basis of full and true information, create a stable and favorable environment for a free exchange of opinions and try to ensure the establishment of fundamental human rights and freedoms.

Q: You were a member of an advisory council under the aegis of the central election commission. You have repeatedly met with Information Minister Aliaksandr Karliukievič. Should one hope that meetings with government officials will bear some fruit?

A: It is normal that the information ministry, for instance, talks with representatives of one of the largest associations. It would be strange if this did not take place. It is another matter that our relations with the information ministry reached an impasse in 2017. I think the situation somewhat improved the following year. I met with the leadership of the information ministry three times in 2018.

Representatives of the BAJ also attended meetings at the government level. For instance, our representatives took part in a meeting held by the foreign ministry, during which an alternative report by Belarusian human rights organizations for the UN Human Rights Committee was discussed. It is another matter that such contacts sometimes resemble a conversation between a deaf and a mute person.

Q: Are there instances of authorities heeding suggestions from the journalist community?

A: When a new version of the Media Law was under consideration in 2008, we submitted our proposals to the House of Representatives. About 10 of our proposals were taken into consideration. Even in 2018, authorities accepted a few of our proposals while they were considering amendments to the Media Law. We ensured the possibility for the information ministry's decisions to block access to websites to be appealed in court. Based on our proposals, authorities significantly reduced penalties for the distribution of prohibited information. We consistently oppose new restrictive amendments to media regulations, as they are already highly restrictive.

Q: Political analysts say that there is currently a new thaw in the relationship between Minsk and the European Union, but the situation in Belarus with regard to human rights, including freedom of expression, is still bad. Why in your opinion, is this thaw taking place and can it influence anything?

A: I have more than once heard representatives of European institutions say that now is the time to talk with the Belarusian authorities on issues that are not sensitive to them, i.e. issues that they are willing to discuss. According to them, this is better than no dialogue at all. I largely agree with this opinion, but this should not mean that subjects sensitive to the government should be removed from the agenda. Such subjects include freedom of expression. Dialogue should not be just for the sake of dialogue. It should yield a result. This is what I expect from this process.

Q: How would you describe the current state of Belarus' media sector? There are many new media outlets of different orientations, which was not the case five years ago. Journalists have a wide choice as to where to work. However, this is not true for the media reporting on social and political issues.

A: It is social and political journalism that is the main indicator of the government's attitude towards the media. This is one of the sensitive issues for the authorities. This is an indicator showing whether or not they tolerate criticism, whether they agree to hear what they do not want to hear. This is an indicator of their attitude to freedom of expression.

We do not know what the media sector will be like in five years. Today in our contacts with the information ministry we raise the issues of freelancers, media regulations and traditional media. But everything may change in five years and the situation may turn out to be absolutely different. It is difficult to make forecasts in this respect.

Q: Is it likely, in your opinion, that the government will agree to legalize freelancers working without accreditation? At present such journalists are outlawed. In the 21st century, this is perceived as barbarism.

A: The Belarusian Association of Journalists has repeatedly put forward proposals in this

regard. We have submitted a set of relevant documents to the information ministry. By the way, while meeting with Minister Karliukevič, I pointed out to him that in the Scandinavian countries, authorities do not care whether or not a journalist is an employee of a certain media organization, because each citizen has the right to freely receive information from journalists irrespective of their status.

It is necessary to say openly that in the overwhelming majority of cases, journalists charged and fined for working for foreign media outlets without accreditation are those working for Belsat TV. It is my firm opinion that this persecution runs counter not only to Belarus' international commitments, but also to national laws. And I think this issue cannot be resolved in the legal sphere because this is a political issue. There can only be a political solution to it. The issue can be resolved through efforts by the new foreign ministry of Poland and through efforts by the European Union and Belarusian officials.

For our part, we keep defending the rights of journalists. There are many of those who would like independent journalism to keep silent and cease to exist altogether, but this will not happen because freedom of expression is a thing that touches everyone. Freedom of expression is not only one of the fundamental rights and freedoms. It helps ensure respect for other rights.



Photo by Siarhej Balaj, BelaPAN

«Дело БЕЛТА»:

Попытка расправы с независимым интернетом

Посещаемость независимых интернет-порталов гораздо больше, чем у страниц государственных интернет-СМИ. Этот факт признают и чиновники. Расправиться с популярностью независимых интернет-порталов власти решили руками государственного информагентства БЕЛТА.

По официальной версии, руководство БЕЛТА вдруг обнаружило, что паролями его платной подписки незаконно пользуются независимые журналисты. Обвинение сразу же назвали абсурдным: в открытом доступе на сайте БЕЛТА доступная по паролям информация появляется через 15 минут, и независимым порталам нет смысла опережать эти, прежде всего официальные, новости без ссылки на БЕЛТА — ведь только «государственные» журналисты имеют доступ на мероприятия, куда вход независимым давно и наглухо закрыт.

Но механизм расправы был запущен.

7 августа в офисах компаний TUT.BY и БелаПАН прошли обыски и задержания. Были задержаны главный редактор TUT.BY Марина Золотова, редакторы портала Анна Калтыгина, Галина Уласик и Анна Ермаченок, главный редактор БелаПАН Ирина Левшина и международный обозреватель информагентства Татьяна Коровенкова, собкор «Немецкой волны» Павел Быковский и редактор интернет-сайта газеты «Белорусы и рынок» Алексей Жуков. Все они провели по несколько суток в изоляторе временного содержания на улице Окрестина. 27 августа большинству подозреваемых был запрещен выезд из страны. Компьютерная техника в редакциях и на квартирах журналистов была изъята — вплоть до телефонов и детских игровых планшетов.

Журналистов и редакции поддержали Евросоюз, Совет Европы, США, международные правозащитные организации.

Но 15 журналистов в течение нескольких месяцев регулярно ходили на допросы в качестве подозреваемых и обвиняемых по уголовной статье — за «несанкционированный доступ к компьютерной информации».

К концу ноября журналистов перевели в статус свидетелей — после выплаты в бюджет насчитанного следователями ущерба и назначенного административного штрафа. Суммы выплат составили от 1500 до почти 9000 долларов.

К концу 2018 года обвиняемой по «делу БЕЛТА» осталась только главный редактор TUT.BY Марина Золотова — ее обвиняют в «бездействии должностного лица», санкция предъявленной уголовной статьи — от штрафа до 5 лет лишения свободы.

В «деле», представленном для ознакомления Золотовой, — 60 томов, включающих результаты экспертиз, обысков и допросов журналистов разных изданий.



Police officers outside BelaPAN's office.
Photo by Siarhej Balaj, BelaPAN

Проиграли все, государство в первую очередь

Юрий Зиссер, бизнесмен, основатель портала TUT.BY

Сколько будет существовать наш строй, тревоги за судьбу TUT.BY никуда не денутся. И эти тревоги начались не сейчас, не 7 августа, когда в квартиры наших сотрудников пришли с обысками. Этим тревогам уже много лет.

Самое неприятное сейчас — силовики получили доступ к внутренней «кухне» TUT.BY. Начали копать, нарушений не нашли. Но в нашей стране возможно самые обыкновенные вещи выворачивать наизнанку и преподносить в неприглядном виде. Поэтому мы не знаем, какие еще сплетни и дрязги появятся, например в «Советской Белоруссии» или на телевидении, мы не знаем, что нам преподнесут, какими врагами выставят.

Был замысел уничтожить портал или хотя бы сильно попугать. Попугать удалось, безусловно: и наши сотрудницы теперь будут иначе себя вести, и порталу пришлось отказаться от многих своих стратегических планов, понимая, что у нас может быть плохо финансово. Мы отказались от инвестиций в новые проекты, это плохо и для нас, и для страны.

Я считаю, что проиграли все. И государство прежде всего — ему нанесен огромный ущерб. Совершенно понятно, что наложенные на журналистов санкции никак не покрывают затраты, которые понесло государство. Даже чисто в материальном плане: в офис приезжает целый автобус специалистов, восемь человек врываются в квартиру Марины Золотовой... Можно представить, сколько людей было вовлечено в эту операцию и задействовано до сих пор. Имиджевые затраты больше: многие инвестиционные планы отвалились, а это миллионы и десятки миллионов долларов, которые страна не получит.

BELTA Case:

Attack on Non-state Online Media

The popularity of non-state news websites is much greater than that of government-controlled ones. Even government officials acknowledge this fact. It was decided to fight against news websites beyond their control with the help of the government's news agency BELTA.

Authorities said that BELTA suddenly found that journalists working for non-state media outlets used passwords known to them to illegally get access to the paid subscription news content on the agency's website.

They simply stole information, said BELTA Director General Iryna Akulovič.

This accusation was immediately called absurd because BelTA's information accessible by password was posted in the free-access section just 15 minutes later. It did not make sense for journalists working for other media outlets to use BELTA's paid subscription reports in an attempt to report some news as earlier as possible because the agency's reports overwhelmingly deals with news from government sources and about government agencies' activities. Since non-state reporters are as rule denied such information, they have to cite BELTA as the source in any case.

However, an order was given and things got rolling.

On August 7, officers of the Investigative Committee of Belarus searched the offices of tut.by and BelaPAN. The searches were conducted simultaneously with raids on the homes of Maryna Zolatava, editor in chief of tut.by; the website's editors Hanna Kaltyhina, Halina Ulasik and Hanna Jermačonak; Iryna Lieŭšyna, editor in chief of BelaPAN; the news agency's staff writer Tanya Korovenkova; Paŭliuk Bykoŭski, Deutsche Welle's Minsk correspondent; and Aliaksej Žukaŭ, an editor of the website of the newspaper *Belorusy i Rynok*. The journalists were held in a detention center for one to three days.

A total of 15 journalists were charged in the so-called BELTA case. Most of them were banned from leaving Minsk.

The European Union, the United States and international human right organizations came out in support of the targeted media outlets and journalists.

But the 15 journalists continued to be summoned for questioning.

In late November, after almost all the journalists — those who had been formally charged with "unauthorized access to computer information" — had the charges against them dropped, after they paid large amounts of money to the state as compensation for the damage that they had allegedly caused, and paid fines. Their payments ranged from $1,500 to almost $9,000.

As of the end of 2018, Maryna Zolatava, who had been charged with "inaction by an official," remained the only one accused in the BELTA case.

In early December, she and her counsel were given one month to examine the case file.

After examining the 60-volume case file, she was supposed to decide whether or not to file a new application for dropping the charge against her.

The charge bears a penalty of a fine or a prison term of up to five years under Part Two of the Criminal Code's Article 425.

BELTA Case Is Damaging to All

By Jury Ziser, the founder and co-owner of TUT.BY

We will feel concerned about the fate of tut.by all the time while the current regime exists in our country. We had felt concerned for many years even before the homes of our journalists were subjected to searches.

The most unpleasant thing is that authorities got access to the internal workings of our media organization. They dug deep but found nothing illegal. However, our country's authorities can distort any things and paint you in the worst possible light. We can only guess what mud may be slung on us by the newspaper *Sovetskaya Belorussiya* and television channels and what they may allege to portray us as criminals.

The objective of the BELTA case was to cause damage to our organization or at least intimidate its workers. They certainly succeeded in the latter. Our journalists will now behave in a different way. We had to abandon many of our strategic plans, realizing that we might have financial problems. For this reason, we had to decide not to launch new projects, which is bad for both our organization and the country.

I believe the BELTA case was primarily detrimental to the state. It caused significant damage even from a financial standpoint. It is clear that the payments imposed on the journalists could not cover the costs of the investigation of this case. Dozens of officers were involved and are still involved in the investigation. As many as eight officers searched Maryna Zolatava's apartment. A bus of officers arrived to raid our office.

The case caused long-term reputational damage to the country. It scared off potential investors. The country may thus lose millions and dozens of millions of dollars.



BelaPAN's newsroom after the search.
Photo by Siarhej Balaj, BelaPAN

Crime and Punishment

Maryna Zolatava, editor in chief of tut. by, tells of her experience as a suspect in the BELTA case


Photo by Siarhej Balaj, BelaPAN

Tuesday, August 7th. The strongest impression is of my entrance hall crowded by people in uniform and civilian clothes at seven o'clock in the morning. Meanwhile, my son is getting dressed up in a neighboring room for a training session. Cameras and a bright light. I immediately imagine how all this will look in news broadcasts on TV in the night: I'm sleepy, standing in a morning gown.

They produce a search warrant. The letters blur. They don't let me make calls to workmates.

Six hours later. I'm being driven to the central office of the Investigative Committee. We're going past our office at number 57 Dziaržynskaha Avenue. I see a van and a bus near the entrance. Everything is clear. I feel frustrated, cause I don't know what's happening to my colleagues. I don't know whether the office is functioning.

It's getting dark. I see some of my colleagues in corridors of the Investigative Committee's office.

I'm at the Partyzanski district police station. I have my fingers printed. They are waiting for a police escort to transport me to the detention center on Akrescina Street. I realize that my colleagues will also be taken there. Who of them? When?

In the prisoner van, I'm with three other women in one cell. There is little room for four. The experienced cellmates tell me what's coming, that's why I'm not surprised at being placed in a small holding cell for new inmates. There are four of us locked in the cell. We can only stand. Time goes by very slowly.

They order us to line up in the corridor to be distributed to cells. We are given bed linen. My experienced cellmates are surprised. They say they were not given bed linen before.

Here I am at last. In a cell. Get a bunk. I have to sleep.

In the morning, my cellmates discuss the sensational news: "Wow, we've got bed linen!" artfully using obscene words. That's not what happened here, they say.

Another surprise. We are given a whole piece of soap! I even can wash my head in the sink.

Good news is that there is hot water at the detention facility. I had no hot water at home.

Three of my four cellmates are taken away to the detention center in Žodzina. They are charged with failure to compensate the state for the cost of maintaining their children under Article 174 of the Criminal Code. There are two of us left. We are offered books. I choose *Petersburg Tales* by Gogol and Fyodor Dostoevsky's *Crime and Punishment*. My cellmate surprises me. She reads Dostoevsky's novel for almost 24 hours, even deep at night by the light of a lamp in the corridor. She is charged under Article 174 as well.

I can go for a walk. This is also a cell, but there is no roof in it and you can see the sky through iron bars.

The worst thing is that I have no information. What's happening to my family? How do they feel? What's going on at our office. Where are my workmates?

Thursday, August 9th. I'm at the central office of the Investigative Committee again. My interrogation starts at around one o'clock. They let me go after nine in the night. They return my shoelaces and 30 rubels

in cash. It is clear that they won't return the other stuff.

My family and colleagues are waiting for me outside. I'm happy. Thank you, friends!

I am surprised to read a statement on the site of the Investigative Committee. "Taking into consideration her active assistance in the investigation, investigators decided not to keep Maryna Zolatava in custody," the statement says. What active assistance do they talk about? Is it that I agreed to give evidence at the second attempt and, in addition, helped them charge me under a "heavier" article?

There are a lot of other interesting things I would like to write about, including the publication of recordings of tapped conversations and some TV reports. We will certainly return to this issue when everything is over.

I Don't Feel Ashamed

An account by Hanna Kaltyhina, an editor with TUT.BY



Photo by Siarhej Balaj, BelaPAN

I get up early in the morning. I make coffee and start my work of putting news on our site so that those who get up at seven or eight o'clock are able to learn the latest news. But there is no internet connection. I attempt to make a call to a workmate. All mobile phones are dead. Our landline telephone does not work either.

"Maybe, some top official has died," my husband says. I quickly put clothes on and head to a bus stop, without having drunk my coffee.

On my way to the bus stop, I am stopped by an AMAP (special task police) officer. He checks my ID. Tells me to follow him to the van. In the van, I see two young men in suits — they are police officers — the man who stopped me, a young woman in AMAP uniform, two persons assigned to be witnesses to a search, an officer from the State Forensic Examination Committee and an officer from the Investigative Committee.

I'm told that my home is going to be searched.

After opening the entrance door, I ask my husband to take our son to the kitchen so that he does not get scared.

"Do you have cash, cards, data storage devices, phones, computers, laptops?" they ask.

I show them all this stuff. They seize everything and draw up a list of seized items.

I go to say goodbye to my son. "Mom, where are you going?" he asks. "When will you be home?"

I promise to be back in the evening, but I feel that I'll fail to keep the promise.

I'm driven to the central office of the Investigative Committee. Prior to an interrogation, at around 9:20 a.m., I'm shown a press release by the Committee and I learn from it that Hanna Kaltyhina has been arrested as a suspect.

And I remember the head of the Investigative Committee's press service saying, "We never disclose the names of suspects."

In the corridor, I see Tanya Korovenkova of BelaPAN and then my workmate Halina Ulasik. I get some news as to whose homes have been searched, who have been arrested. That's shocking.

Then I'm subjected to questioning and then I'm taken to the Savietski district police station and spend two hours in a holding cell there before being driven to the detention center on Akrescina Street.

The facility is like another world. When you are searched, you have to forget your dignity.

A female officer: Take off your pants!

Me: Sorry, I can't. I'm on my period.

The officer: I'm a woman as well. Take off your pants!

Probably, this was the most humiliating moment in my life. However, in general the facility's personnel were rather polite and responsive. Medicines were provided at first request.

I didn't eat the food offered there. I remembered a popular Belarusian pop singer who, after being taken on a tour of a correctional facility, said that the food served in our prisons is not worse than meals served at restaurants. I wish she tried that "soup" and that "cutlet."



Photo by Siarhej Balaj, BelaPAN

However, I was offered something to read. They had *At a Crossroads* by Jakub Kolas — half of the pages were missing — and even two thriller novels.

I share the cell with women who are in jail for the first time. They have no criminal record. One of them faces a charge of attempting to buy marijuana. Another one is a fitness instructor. She is charged under Article 147 for stabbing her husband with a knife. He had been bullying her for 25 years. She tries to see it that I at least drink tea.

I have always thought that mostly innocent people are jailed. They are set up, Drugs are planted. The husband may have fallen on the knife himself. But my cellmates say they are to blame. They regret what they did.

I sleep all the time the following day. I have nothing to do. A walk is the only pleasant exception. I hear colleagues of mine called by name. They are in neighboring cells. Some of them may be just one door away.

I'm to be detained for up to 72 hours. This means I should be released on Friday, but I'm unexpectedly freed on Thursday, following another interrogation. An investigator tells me that I'm free in the course of three hours. All this time I can see my relatives and colleagues through a window in the room. But I can't come to them. Can't embrace them. I can't embrace my son.

I'm released after 9 o'clock in the night.

Everybody does deeds that they feel sorry about. After my release, I read a lot of bad things about us. We allegedly stole news reports from BelTA. I read that my colleagues and I are "ladies convenient in everyday life" and so on. I want to say that I don't feel ashamed of what I did as a journalist. I am prepared to own up to every piece of news that I put on our website. I'm ready to answer to our readers, to my colleagues and to the Investigative Committee.

But I do feel ashamed towards my son. I feel sorry that I could not answer his question "Mom, why did you take so long?" when we were standing outside the building of the Investigative Committee on Thursday night.

Forgive me, son. And thank you, my friends, colleagues, people I haven't seen for years and people I don't even know for the support.





Authorities Persistently Fine Freelancers for Working without Accreditation

Last April, Reporters Without Borders published its 2018 World Press Freedom Index, which ranked Belarus 155th out of 180 countries. Belarus was among the countries whose media freedom situations were described as bad.



By Pavel Lievinaŭ,
a member of the BAJ

Authorities have been persecuting Belarusian freelance journalists in the last several years with persistence worthy of a better cause.

It is a common practice that freelancers are charged and sentenced to fines for working for foreign media outlets without accreditation. This is one of the main problems currently faced by the pro-democracy Belarusian journalist community.

The Media Law distinguishes between the terms “journalist working for media outlet” and “journalist working for a foreign media outlet.” Many experts believe that this approach is discriminatory.

In 2018, the BAJ recorded more than 100 instances of violation of journalists’ rights pertaining to the performance of their professional duties.



There was roughly the same number of instances of journalists being charged and sentenced for working for foreign media without accreditation.

The police's cases against journalists are often ridiculous. For instance, Hlybokaje freelance journalists Tacjana Smotkina and Zmicer Lupač were fined 1,102.5 rubels and 857.5 rubels, respectively, for a harmless report that was broadcast by Radio Racyja. The report dealt with an exhibition of the coats of arms of the Viciebsk region's district capitals on the occasion of the 80th anniversary of the region.

In another instance, Viciebsk freelance journalists were sentenced to fines for a social report on a water supply problem in a village located on the bank of a lake, which was broadcast by Belsat TV. Aliena Šabunja was given a fine of 490 rubels and Viačaslaŭ Lazaraŭ was fined 539 rubels.

In one of the most ridiculous stories, four Viciebsk residents were sentenced to fines and one more was given a three-day jail sentence for taking pictures of themselves demonstrating in support of media freedom and posting the pictures on social media sites.

The people were charged and sentenced for failure to obtain permission from local authorities for holding self-made paper birds and paper cages in front of a wall picture depicting birds flying out of cages — as a symbol of freedom — and posing for photographs. A police officer testified that the group had planned this event in advance, which equated it to a demonstration. The graffiti was promptly painted over by order of local authorities.

In a gesture of solidarity with the Belarusian "offenders," people in Europe started to post photographs of themselves holding paper birds and cages.

Misinterpretation of Law

Freelancers whose reports are used by foreign media outlets are, as a rule, charged with the "illegal creation of media products," although under Belarus' Media Law, only legal entities may be charged with such an offense.

Media products are created by a legal entity that performs the functions of a media organization, whereas under Paragraphs Six and Seven of the Media Law's Article One, journalists only provide written, audio or video reports for this purpose. In addition, journalists' reports shall not be viewed as a media product, as a media product is defined as a set of materials that bears a permanent name and is regularly created and distributed.

Therefore, the sentencing of freelance journalists for the mere fact that their reports are published by foreign media outlets is a gross violation of media freedom standards.

Journalists have to work without accreditation because accreditation is stubbornly denied. Under regulations, accreditation for foreign media outlets and journalists working for foreign media outlets shall be granted by the foreign ministry, but accreditation is not supposed to be a job permit and the lack of accreditation should not prevent journalists from doing their job. All freelance journalists should have the same rights as journalists working for accredited media organizations.
The Belarusian Association of Journalists has repeatedly called on the information ministry and



the parliament to initiate amendments that would change the situation, but to no avail.

By persecuting freelance journalists, the Belarusian authorities violate the constitution and their international commitments.

Under Part Two of Article 19 of the International Covenant on Civil and Political Rights, everyone shall have the right to freedom of expression, including the right to “seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”

The right to freely receive, keep and distribute accurate information about the activities of government agencies, non-governmental organizations, about political, economic, cultural and international events and the state of the environment is guaranteed by Article 34 of the Constitution of the Republic of Belarus.

Freelance journalists have sent dozens of individual communications to the UN Human Rights Committee about violations by the Republic of Belarus of their right to freedom of expression.

Participants at a recent conference in Minsk on the theme of “Prospects and Challenges for Freelance Journalism in Europe. Special Focus on Belarus” demanded that the Belarusian authorities should stop persecution against freelance journalists for their professional activities. They also called on the authorities to apply international law norms on freedom of expression and media freedom.

However, the authorities turned a deaf ear to us and continued to do what they did.

Vicious Circle

In May 2018, Homiel freelance journalist Larysa Ščyrakova was charged over her photographs taken in the Himalayas, which had been published on the website of Belsat TV.

The series of photographs, titled “Breathtaking Landscapes. The Highest Peaks of the World in the Eyes of Homiel People,” were really impressive, but the author was accused of the illegal creation of a media product.

There was nothing illegal in the photographs for the Nepalese authorities, but the police in Belarus found illegality in them.

This seems to be a vicious circle that cannot be broken. This is something that a reasonable person cannot understand.

The authorities appear to believe that by persecuting freelance journalists, they block unwanted information from reaching people. However, despite the persecution, the ranks of freelancers are growing and the number of reports critical of the government is increasing.

The Belarusian authorities should stop their disgraceful war against journalists and try to comply with their international commitments and national laws.



«Всем журналистам места не хватит»

Фото Вадима Замировского, TUT.BY

АККРЕДИТАЦИЯ как средство защиты от СМИ

Политический режим сознательно ограничивает право на свободу информации и свободу работы для СМИ.

Институт аккредитации, который вроде как призван облегчить взаимодействие пресс-служб и СМИ, в Беларуси на практике часто используется, чтобы ограничить доступ журналистов на мероприятия. Чиновники в этом проблемы не видят и не считают нужным что-то менять.



Татьяна Коровенкова, БелаПАН

Доступ к информации — одна из основных проблем белорусских журналистов. Контакты чиновников со СМИ регламентируются законодательством, которое устанавливает, что «целесообразность публикаций и выступлений государственных служащих, связанных с исполнением служебных обязанностей, определяется руководителем государственного органа, в котором государственный служащий занимает государственную должность, или уполномоченным им лицом».

Хитрое законодательство

Право на аккредитацию закреплено в статье 35 Закона о СМИ, но при этом законодательство определяет аккредитацию как «подтверждение права журналиста средства массовой информации освещать мероприятия, организуемые государственными органами, политическими партиями, другими общественными объединениями, иными юридическими лицами, а также другие события, происходящие на территории Республики Беларусь и за ее пределами».

На практике пресс-службы государственных ведомств нередко используют институт

аккредитации, чтобы не дать информации нежелательным журналистам.

Осложняет ситуацию то, что в Законе о СМИ не прописаны единые критерии, согласно которым должно приниматься решение об аккредитации. Каждое ведомство само решает, аккредитовать журналиста или отказать.

Да, законодательством не допускается необоснованный отказ в аккредитации журналиста, но придумать некие основания для пресс-службы — дело техники. Иногда отговорки совершенно нелепые. Например, несколько лет назад корреспонденту БелаПАН отказали в аккредитации на субботник с участием премьер-министра, мотивировав так: «*Мало места, всех журналистов пустить не получается*». Субботник проходил… в лесу.

Как обжаловать отказ в аккредитации, в Законе о СМИ не говорится, поэтому суды отказываются принимать подобные жалобы.

Журналистка газеты «*Народная воля*» **Марина Коктыш**, которой в 2008 году Палата представителей отказала в аккредитации, дошла до Комитета ООН по правам человека. КПЧ признал, что права Коктыш были нарушены, но аккредитацию в Палате представителей она так и не получила.

Свои и чужие

«*В целом чиновники рассматривают аккредитацию как разрешительный механизм,* — отметил в комментарии для БелаПАН председатель Белорусской ассоциации журналистов **Андрей Бастунец**. — *Вместо принципа гласности в деятельности государственных органов у нас главенствует принцип разрешительности*».

По словам Бастунца, БАЖ постоянно получает сообщения о том, как ограничивают доступ журналистов на некие мероприятия или в структуры власти. Зачастую это делается абсолютно произвольно, потому что даже положения об аккредитации нет в некоторых ведомствах и исполкомах, подчеркнул собеседник.

«*Власти разделяют журналистское сообщество на две группы — государственные и негосударственные СМИ. Государственные медиа власти рассматривают в качестве обслуживающего персонала. И один из часто звучащих от чиновников ответов: "Мы уже дали информацию такому-то государственному СМИ, смотрите там"*, — отметил Бастунец. — *А негосударственные медиа могут дать критическую публикацию, что не всегда нравится чиновникам*».

По его словам, корни проблемы в том, что у властей не сформировалась культура общения со СМИ, а правовая система не работает в защиту конституционных положений и Закона о СМИ.

Война против «Белсата»

И если для журналистов белорусских СМИ отказ в аккредитации на какое-то мероприятие не является запретом на журналистскую деятельность в целом, то для тех, кто сотрудничает с иностранными СМИ, отсутствие аккредитации в качестве сотрудника иностранного медиа создает серьезные проблемы.

Наиболее яркий пример — ситуация с журналистами телеканала «Белсат».

Он является структурным подразделением Польского телевидения (TVP), был создан в 2007 году по договору между TVP и МИД Польши как телеканал, который вещает на Беларусь со спутника.

Начиная работу, «Белсат» подал документы для регистрации корпункта в белорусский МИД, но получил отказ из-за якобы неверно оформленных бумаг. Все последующие попытки получить аккредитацию оказались безуспешными — причиной отказа назывался тот факт, что сотрудники телеканала работают в стране без аккредитации. За 11 лет с начала работы «Белсата» ситуация только ухудшилась.

Сначала белсатовцам только выносили предупреждения за работу без аккредитации — лишь такое наказание предусматривает Кодекс об административных правонарушениях (КоАП).

Но с апреля 2016 года власти придумали, как жестче наказывать своих граждан за сотрудничество с иностранным СМИ без аккредитации. К журналистам «Белсата» начали применять часть 2 статьи 22.9 КоАП (незаконное изготовление продукции СМИ), штрафы по которой варьируются от 20 до 50 базовых величин.

Юридическая служба БАЖ неоднократно подчеркивала, что к физическим лицам, то есть журналистам, статья 22.9 применяться не может — под ее действие подпадают только юридические лица.



Во второй половине 2016 года на фоне потепления отношений между Беларусью и Западом конвейер штрафов приостановили, а несколько белорусских журналистов, работающих на «Белсат», даже получили временную аккредитацию как сотрудники TVP.

Но после протестов февраля — марта 2017 года (которые активно освещал тот же «Белсат») журналистов, сотрудничающих с иностранными СМИ без аккредитации, снова стали наказывать штрафами. И в основном их получают именно белсатовцы.

По данным БАЖ, общая сумма таких штрафов в 2017 году составила около 50 тысяч рублей (около 25 тысяч долларов), а за 9 месяцев 2018 года уже превысила 66 тысяч рублей (около 33 тысяч долларов).

«Я знаю, что изначально, когда “Белсат” только задумывался, у руководства канала были иллюзии, что они как раз получат аккредитацию и будут таким взвешенным СМИ, представляющим две точки зрения. Но аккредитацию не дали, поэтому совершенно естественно, что вторая точка зрения — властей — представлена недостаточно, и это вызывает у чиновников раздражение», — говорит Бастунец.

Он подчеркивает, что решением проблемы была бы как раз аккредитация журналистов, но власти принципиально не хотят признавать этот телеканал.

«Власти хотят иметь контроль над телевидением, — сказал председатель БАЖ. — *Телевидение для них — главный канал донесения информации до аудитории. Именно с телевидения белорусские власти начали включение государственных СМИ в президентскую вертикаль. И упускать этот контроль они не хотят».*

Сознательный зажим

Белорусский политический режим сознательно ограничивает определенные права, в том числе право на свободу информации и свободу работы для СМИ, отметил в комментарии для БелаПАН руководитель Центра европейской трансформации, политолог Андрей Егоров.

«Режим рассматривает свободную работу медиа как непосредственную угрозу, — поясняет собеседник. — *И тут сложно ожидать, что какие-то будут изменения. То же самое мы наблюдаем в любых других областях, где режим рассматривает полноту гражданских свобод как угрозу для своего существования — политические права, свобода ассоциаций, местное самоуправление, академические свободы и так далее».*

Егоров подчеркивает, что аккредитация используется госорганами не для эффективной работы с журналистами, а чтобы осложнить жизнь СМИ.

«Таким образом их стремятся лишить доступа к эксклюзивной информации, ограничить их возможности для трансляции определенной информации, — говорит политолог. — *Точно по такой же логике белорусским чиновникам запрещают давать прессе комментарии без согласования с начальством. И изменений тут, мне кажется, тоже не стоит ждать. Если они и будут, то только косметические: могут разрешить аккредитацию журналистов некоторых СМИ, но при этом закрыть какие-нибудь популярные региональные сайты».*

Власти всегда будут балансировать в своих решениях и подходить таким образом, чтобы не дать пространства для свободного развития СМИ, подчеркнул Егоров.

By Tanya Korovenkova,
BelaPAN

Authorities Use Accreditation to Restrict Access to Information

The Belarusian government uses regulations governing accreditation to limit access to information and silence critical journalists.



Photo.bymedia.net

Article 35 of the Media Law defines accreditation as the "confirmation of a journalist's right… to cover events organized by government agencies, political parties and other associations, other legal entities, as well as other events taking place in the territory of the Republic of Belarus and abroad."

Officials often abuse accreditation to prevent critical journalists from accessing information.

The Media Law does not specify the accreditation procedure. In fact, officials are free to grant or deny accreditation under various pretexts.

For instance, the prime minister's press office denied accreditation to a BelaPAN reporter a few years ago, citing a lack of space to accommodate all journalists. The reporter asked for accreditation to cover a forest cleanup involving the prime minister.

The law does not give journalists the right to appeal accreditation denials.

The House of Representatives of the Belarusian National Assembly stripped **Maryna Koktyš**, a correspondent of the private newspaper *Narodnaja Volia,* of accreditation in 2008. Although the UN Human Rights Committee found that decision unlawful, Koktyš has never had her accreditation restored.

Friends and Foes

"Officials see accreditation as a type of permission," says **Andrej Bastuniec**, chairman of the Belarusian Association of Journalists (BAJ).

Officials routinely deny independent journalists accreditation to cover events organized by government agencies. Sometimes they do so without explanation because most agencies and local authorities do not have internal rules governing accreditation, Bastuniec notes.

"Officials discriminate against private media and view state-run media as their service personnel," Bastuniec says. *"Most often, officials refer private media reporters to state media outlets for information."*

War against Belsat TV








Photo by belsat.eu

Authorities have declared war on Belsat TV, a Warsaw-based TV channel broadcasting to Belarus in Belarusian and critical of the country's government.

Police launched a large-scale harassment operation against Belsat TV during protests by "social parasites" in the spring of 2017, which were followed by hundreds of thousands of views on the channel's website and social media.

In 2017, authorities imposed 69 fines on journalists, mostly those reporting for Belsat TV, for their work for foreign media organizations without accreditation from the foreign ministry. Journalists were ordered to pay more than 100 fines ranging from $250 to $630 in 2018.

Belsat TV journalists have spent 126 days in jail since the launch of the channel in December 2007 and at least 11 journalists have been beaten. One of them spent a month in the hospital in 2010.

Aliaksandr Lukašenka had described the project as "stupid and unfriendly" several months before the channel went on the air.

Belarus denied a visa to Belsat TV Director Agnieszka Romaszewska-Guzy in 2009 to prevent her from attending an event marking the channel's second anniversary in Minsk. The foreign ministry has rejected at least four applications from Belsat TV for opening a bureau in Minsk and multiple accreditation applications from its reporters.

Law enforcement agencies have raided Belsat TV offices on eight occasions. Police seized computers, cameras and data storage devices in a raid in March 2017.

In September 2014, the Supreme Court of Belarus prohibited Telewizja Polska S.A. (TVP) from using the Belsat TV trademark. Belsat TV has already lost more than €20,000 worth of equipment in the legal battle.

"Initially, when Belsat TV was being conceived, its managers hoped to obtain accreditation and provide balanced coverage, always presenting at least two points of view. But authorities denied them accreditation, and therefore authorities' viewpoint is underrepresented [in Belsat TV reporting]. This is something that makes officials mad," Bastuniec says.

"Authorities want to control television," he says. *"This is the key medium for conveying information to the audience."*

Deliberate Restrictions

The Belarusian regime deliberately restricts certain rights, including the right to media freedom, says Andrej Jahoraŭ, of the European Transformation Center.

"The regime views the free media as a direct threat," he says. *"We can see the same approach in other areas, where the regime views civil liberties as a threat to its existence, including political rights, freedom of association, local self-government, academic freedoms etc."*

MEDIA FAMILY

The name of this section came into existence by accident, after the editorial staff of the BAJ's bulletin received feedback from our organization's members living in the provinces.

In the summer 2018, ahead of the 10th general conference of the Belarusian Association of Journalists, we asked members of our organization to share their thoughts about the future of the BAJ and answer the following questions:

How much is it helpful for you to be a member of our journalist community?

What activities of our organization over the last three years do you remember as helpful to you?

In what areas should the BAJ expand and intensify its work?



By Zmicer Lupač,
a freelance journalist, Hlybokaje

When You Are Not Alone

Our journalist organization is like one big family for me. My feeling of being part of this family has been especially strong in the last three years because it is in this period of my life and professional career that I have experienced crazy persecution by authorities.

Thanks to support from the BAJ, I have managed to withstand and overcome troubles. Naturally, I received support from other civil society groups and organizations, but the support from our journalist community and its leadership was really important for me.

You can arrive in any city in Belarus where other members of our organization live and be sure that you will get help. The BAJ is like a close family circle, within which you can discuss your personal problems and professional plans. I like our solidarity very much. Believe me, if you stand trial several times a month, support from friends and colleagues is especially important, as this support fuels your confidence, helps you take a right decision and makes you think that you are not alone.

In this regard, I would like to note the good job of our lawyers, especially the job of Pavel Lievinaŭ, with whom I have lately maintained close contact.

I can call him at any time and I always receive competent advice and hear warm words of support from him.

What I also remember are our trips to Ukraine. They were really interesting and helpful because we may have to make use of Ukrainian journalists' experience of defending their rights.

It was also helpful for me to attend a seminar on mediation. I use the knowledge that I received at the seminar almost every day. I believe that such seminars should be held more often because it is really important to study the psychology of human relations, as communication is the essential skill for any journalist. Training seminars are also helpful because your colleagues share their experience with you.

I think our organization should pay more attention to establishing horizontal ties among journalist communities. There are rather close ties between journalist communities within one region, but there is almost no contact between communities in different regions.

I also consider it important for the BAJ to continue efforts to raise journalists' awareness of laws and their rights. Our experience tells us that many of us have insufficient legal knowledge. This is not good in a situation where you are under police pressure with no friends and colleagues nearby. That is why it is imperative to raise the level of legal knowledge.

It would be correct if we invited journalists of other countries to take part in our seminars, especially journalists living in neighboring countries because their mentality is close to ours in many respects.

I have been a member of the Belarusian Association of Journalists for almost two decades and never regretted this. That is why I hope that I will continue to perceive the BAJ as one big family of like-minded and supportive people.



MEDIA FAMILY

By Sviatlana Harda, editor of the news website media-polesye.by, Luniniec

Greetings from the Palessie Region!

I was maturing as a journalist along the BAJ. If it had not been for this non-government organization, I might not have had enough strength and courage to remain part of the non-state media and found an independent news website, which currently unites young reporters. Now our website reports news to the residents of Belarus' Palessie region.

What helped me was the knowledge and skills that the BAJ gave to me, which I had not been given by the Journalism department of Belarusian State University. I also received assistance from colleagues. I could consult them at any time and tell them what I was concerned about.

I have always thought that passivity leads to death. People should not stand still. They should be active and try to expand their knowledge. And the BAJ gives its members a lot of opportunities for this.

I have been chairperson of the Luniniec branch of the BAJ for many years. The Luniniec branch has lately been known for its kayak press tours on the Palessie

region's rivers, BAJ strawberry press tours, and roundtables for journalists and writers.

It is notable that the organization's provincial branches have started to frequently invite each other to participate in various events and have improved the quality of events they organize.

As an editor, I often have to ask the BAJ for legal assistance and I always receive such assistance. I can say that the BAJ's lawyers have twice saved our site.

Legal advice and training seminars make us feel confident and well-informed of our rights. This is important today because we have to defend our rights.

In the provinces, there is currently an acute shortage of skilled system administrators. I think the time has come for the BAJ to establish a special center so that IT professionals provide advice as to how to run websites and come to help if necessary, like BAJ lawyers do. Unfortunately, we sometimes have a strong need for such assistance, especially when sites are subjected to DDoS attacks.

I would also like to mention the need to promptly provide training to young journalists living in the provinces. It would be good to arrange for them to attend a summer school in the countryside, which would last for three days or so and feature lectures by skilled trainers, practical lessons and contests, because we feel that it is now necessary to write in a new style, improve the visual content of news websites and teach journalists many new skills.

May all our plans come true!



By Volha Šumanskaja,
a freelance journalist, Baranavičy

Thanks to BAJ, I Returned to the Profession

I have been a member of the BAJ for five years now. I joined the organization with a view to getting a feeling of being part of a pro-democracy journalist community. During training seminars and courses, I met other journalists and learned a lot of amazing things from them.

Thanks to our organization, I returned to the profession, although there was a moment in my life when I decided to quit journalism. But at the end of 2016, I was invited to attend a leadership course that the BAJ offered for provincial activists. I accepted the invitation and the course caused me to feel a desire to be a journalist, as I saw course mates' enthusiasm grow with each session.

It was thanks to the course that I decided to try my hand at being a leader. I understood that I was able to do much more than I did before. The training course gave me the necessary skills for feeling self-confident, accomplishing difficult tasks and working with different people.

Formerly, I used to help organizers of events and frequently viewed the process from the outside, but I felt shy to organize an event, even a local one, by myself. The leadership course made me step out of my circle of comfort and do something for the reputation of our organization.



That is why the leadership course is the most remembered event for me as a BAJ member. New knowledge, new skills, new contacts and active communication are what supports and encourages me.

I believe the BAJ should hold more training seminars for people who have just started to work as journalists because the current crisis in the media industry leads to a rapid turnover of journalist staff.

It is also necessary to continue efforts to ensure that freelance journalists have equal status with staff journalists.

Apart from this, it is sure that the BAJ should continue to provide legal support to pro-democracy journalists who are subject to permanent persecution in our country.

MEDIA FAMILY



By Piotr Huzajeŭski, the publisher and editor in chief of the newspaper *Hancavičski Čas*

You Move Ahead More Confidently If You Have Support

Pressure and Support

An important event for us happened not long ago. Four people working for our independent newspaper became members of the BAJ. As for me, a journalist with 17 years' experience, I have long been a member of the Association.

It is a frequent occurrence that you start looking for help only when trouble has already hit you, and regret that you did not do enough to be on the safe side. Now that Belarusian journalists have their own professional organization, they are able to ask it for assistance and they always receive it.

Unfortunately, we have to ask for assistance quite often. In the last 20 years, authorities have used many various forms and methods to persecute non-state journalists and media outlets and put pressure on them. Persecution is especially strong against the journalists who report on issues sensitive to authorities and criticize the government for its performance. There are a lot of bureaucrats of various sorts who seek to create problems for journalists to achieve their career goals. That is why if you have reliable support, you move ahead more confidently.

Membership in the Belarusian Association o Journalists gives you a feeling that there is someone who supports you in your professional activities. More precisely, these are the hundreds of BAJ members. They lend a helping hand to you when you have problems and do not let you feel alone and lose heart. Whatever one may say about liberalization and equal conditions for the state and non-state media, there have been, and still are, no equal conditions. If readers give preference

to non-state newspapers, if local authorities do not succeed in forcing people to subscribe to government-controlled newspapers, bureaucrats get furious and start finding faults with private publications. The readership of *Hancavičski Čas* is larger than that of the district government's newspaper. This fact prevents the local ideology officials from having a good sleep. That is why they send complaints and ask the prosecutor's office or the information ministry to take measures against the censorship-free publication.

That is why it is very important for us to receive legal assistance from the BAJ's lawyers, as well as to feel the solidarity of our colleagues.

Most Memorable Things

In recent years, the BAJ has held a lot of training courses and seminars. Journalists of the newspaper *Hancavičski Čas* are always happy to gain new knowledge.

Thanks to the BAJ, I attended a series of lectures on media startups, which gave me an impetus to do what I had planned to do. Our newspaper will soon go online. We will have a news website, 1reg.by.

It is clear that it is not easy to run training programs, but this is what should be done because the knowledge and skills that my colleagues and I acquired and used in practice have borne fruit. As for our media company, Media Hancavičy, we have a rise in the online audience and an increase in the print run for the newspaper.

I would like to express my sincere gratitude to the BAJ for the well-organized training process, the competent trainers, the comprehensive approach and the understanding of provincial media outlets' interests and needs.

What to Do

As a provincial media worker, I would like the BAJ to continue to focus on what it does now. In particular, the Association should continue to provide assistance to journalists in their workplace in various fields such as news reporting, design, management and digital safety. Local media outlets often do not have IT experts to create a quality website and run it. The BAJ can really be of help in this regard.

May the BAJ and all of us continue to work and feel our usefulness and be successful in defending freedom of expression!



By Siarhej Stankievič,
editor in chief of the newspaper
***Infa-Kurjer*, Slutsk**

I have been a member of the BAJ for five years now. I joined the organization with a view to getting a feeling of being part of a pro-democracy journalist community. During training seminars and courses, I met other journalists and learned a lot of amazing things from them.

Thanks to our organization, I returned to the profession, although there was a moment in my life when I decided to quit journalism. But at the end of 2016, I was invited to attend a leadership course that the BAJ offered for provincial activists. I accepted the invitation and the course caused me to feel a desire to be a journalist, as I saw course mates' enthusiasm grow with each session.

It was thanks to the course that I decided to try my hand at being a leader. I understood that I was able to do much more than I did before. The training course gave me the necessary skills for feeling self-confident, accomplishing difficult tasks and working with different people.

Formerly, I used to help organizers of events and frequently viewed the process from the outside, but I felt shy to organize an event, even a local one, by myself. The leadership course made me step out of my circle of comfort and do something for the reputation of our organization.

MEDIA FAMILY



By Uladzimir Janukievič, publisher and editor in chief of *Intex Press*, Baranavičy

I'm Always Concerned about Where to Move and What to Do

We united into an organization in order to learn to solve our problems on our own. This thought came to me when I attempted to define the role and place of the BAJ in my life. As for my personal feelings from being a member of the BAJ, I can say that I have experienced moments of happiness caused by an incredible sense of freedom of expression, opinion and action that reign in the BAJ community.

It is our affiliation with the BAJ family that currently helps us work under the conditions of the lack of fair competition in the Belarusian media sector, restrictions on access to information and the local authorities' policy of isolation and discrimination against non-state media outlets.

As a publisher and a chief editor, I always think where to move and what to do. The role of the BAJ in this regard cannot be overvalued. For instance, three years ago the BAJ, together with its Swedish partner Fojo, recommended a number of provincial media outlets to go online. Our participation in this project determined our decision to make changes to the work of the editorial staff. Actually, I can say that the BAJ's activities in the provinces deserve the highest praise. The organization runs educational programs, holds training seminars for journalists, teach how to ensure computer safety and provide legal advice. For me as the publisher of a local newspaper, there is every reason to be grateful to the BAJ. The Association has always paid attention to its branches in the provinces, involving them in its campaigns and events, such as a relay of good deeds, festivals and other activities to avoid profession exhaustion, seminars on conflict resolution, discussions between journalists of different regions about the role and functions of journalism and news reporting.

As for my opinion about what should be done, I believe we should think about arranging permanent training for journalists working for media outlets in the provinces. The rapid spread of digital technologies requires journalists to build up their knowledge, but it is difficult to do so considering the current circumstances because media outlets in the provinces have limited staff numbers and simply cannot allow themselves to let one or two workers leave for a few days to attend a training seminar. That is why I think the BAJ should try to arrange for training to take place in the workplace of journalists.

Apart from this, I believe it is important to defend media freedom and advance the economic interests of non-state media outlets. This should be a priority for the BAJ and our journalist community.

More than 400 people have completed training courses run by the BAJ in the last three years. The Association's two-month modular courses help journalists acquire skills in various fields, from photojournalism and video news production to social media management and data journalism.



Juras Karmanaŭ:

Our Courses Have to Keep Pace with Rapidly Developing Media Technologies

Juras Karmanaŭ, a member of the BAJ Board, tells *Abajur's* Kanstancin Skuratovič about the organization's training activities.

Q: The BAJ's training courses have been in existence for more than six years. What prompted the Association to organize them?

A: Journalism evolves very rapidly. Even the essence of our profession undergoes change.

The last decade has seen the emergence of new branches of knowledge that modern journalists have to learn. In particular, they have to know how to work with social

networks, how to deal with large volumes of data, and how to do live video streaming.

> ***The BAJ expects its training program to help people become universal journalists who are mobile and competitive and possess basic skills.***

Training should help journalists adapt themselves to rapid changes in their work. It is new knowledge and skills that can make people feel confident of their employability as journalists.

The BAJ expects its training program to help people become universal journalists who are mobile and competitive and possess basic skills.

Our courses were originally designed as a platform for experienced journalists to share their knowledge with beginners. Luckily, there are many legendary names in the Belarusian journalism community who can teach their professional skills to young journalists. The BAJ also hopes that apart from acquiring technical knowledge, trainees will learn the fundamental values of our organization. We expect people who complete our courses to share our values, which include freedom of expression and media freedom.

Q: What courses do you offer and how are they structured?

A: Our training program consists of two-month modular courses. During these two months, students are taught the latest techniques and practices in specific fields of journalism. As a rule, students take several courses at once. For instance, they are offered three simultaneous courses: data journalism, investigative journalism and "News Reporting in a New Way." Our courses are structured in such a way that enables students to combine acquiring skills in new technical fields with getting knowledge of traditional journalism subjects.

All courses run by the BAJ have a practical emphasis. This means that we tell trainees at the very beginning that we expect them to produce a specific product at the end of the training period, which can be an investigative journalism story, a series of photographs, a video stream or an analytical article.

We conduct eight or nine training programs a year. The best Belarusian journalists are involved as trainers. We also invite foreign experts who can tell trainees about their countries' journalism practices and ethics.

Q: What can you say about new courses?

A: Our new courses include "Trauma in Journalism." This course will offer advice on self-care and special tips for journalists who witness, report, produce, edit or record stories that can cause emotional or psychological harm.

In addition, we plan to launch a course on storytelling. The term "storytelling" refers to techniques used to tell a story. But this can be not only a textual story, but also a photo or video story.

We are also going to update our courses on photojournalism, news reporting and social media management.

We have started to use open lectures, which have turned out to be very popular among journalists. Such lectures can feature not only prominent journalists, but also popular bloggers and public figures.

Q: How accessible are the BAJ's courses for the organization's members?

A: As a rule, we send out information to members of our organization, post announcements on the BAJ's website and social media platforms. Those seeking to undergo a course have to fill out a questionnaire and explain why they want to take the course. We consider the applications and naturally give preference to members of our organization.

We try to enroll no more than 14 trainees for a course. This is the optimal number that enables the trainer to monitor the efficiency of practical training sessions. But sometimes we receive more than 60 applications and have to increase the enrollment to 20 to 25 trainees. This was the case with our course on



photojournalism and “News Reporting in a New Way.”

It is also important for us that the BAJ should continue to be a communication platform for not only Minsk journalists but also for journalists living in the provinces, for whom our training courses are almost the only opportunity to meet each other.

Provincial journalists make up one-third to half of the trainees. The provinces’ wide representation is important because journalists working there have limited opportunities to learn new media trends and practices.

I should note that more than 400 people have completed our organization’s training courses. That is why it is safe to say that the BAJ has really become a training platform for journalists.



Q: What difficulties has the BAJ encountered while running training courses?

A: One of the major problems is the rapid ageing of knowledge. Social media and technologies develop so fast that journalism knowledge becomes outdated too quickly. Therefore, we have to ensure that our courses keep pace with the rapidly developing media technologies.

I have to note that traditional journalism courses — on interviewing, news reporting and investigative journalism skills — are getting less popular. The most popular courses are those giving technical skills, which teach how to make news photographs and video news reports or how to use social media management tools and techniques.

Q: What is the target group of the BAJ’s training programs?

A: Our target group primarily includes journalism practitioners in Minsk and the provinces who feel the need to improve their professional skills.

In addition, we offer training to university students majoring in journalism. We often hear people say that knowledge and skills acquired during the BAJ’s training courses fill up gaps in their university education.

Provincial journalists make up one-third to half of the trainees. The provinces’ wide representation is important because journalists working there have limited opportunities to learn new media trends and practices.

In the last three years, we have had a new target group: non-governmental organizations’ spokespersons and activists. Specially for them, we have launched a course on public relations strategy.

Our courses are free of charge. At the start of each course, we announce that we would like its graduates to become members of our organization. If courses run by the BAJ help journalists enhance their professional skills and make them feel among friends, they will join our organization sooner or later.





Challenging

It is rather difficult for untrained people to travel 20 kilometers by kayak. But there has been no instance where someone among our journalists has failed to go the distance. Such trips unite and strengthen us. Kayaking on rivers and creeks in Belarus' Palessie region has always been part of press tours that are regularly organized by the Luniniec branch of the BAJ.

Journalists familiarize themselves with the everyday life of people residing in district capitals and villages far away from the capital city. They interview people,







Press Tours

take pictures and film videos. In addition, journalists participating in such trips are always interested to learn more about environmental problems and other issues that are of concern to local people. Afterwards, journalists publish stories to tell their readers what they saw and learned during the trip.

Journalists say that press tours are an opportunity for them to test themselves in an extreme environment, but it is also important that press tours are an opportunity to see real life in remote areas.



Photo by Aliaksandr Zyankoŭ



Чаму прэс-службы «закрываюць» чыноўнікаў ад журналістаў

Падцвердзіць ці абвергнуць інфармацыю, атрымаць камэнтар у беларускіх чыноўнікаў журналістам становіцца ўсё складаней. Чаму прэс-службы міністэрстваў і ўстаноў замест дапамогі часцяком ускладняюць журналістам працу і чыняць ім перашкоды?

Іна Студзінская, «Радыё Свабода»

На ніводзін з пісьмовых запытаў «Свабоды» прэс-служба МУС не адказала

Напрыканцы лістапада знялі з пасады прэс-сакратара Міністэрства ўнутраных спраў Георгія Яўчара, які прабыў кіраўніком прэс-службы менш за 9 месяцаў. За гэты час лічаным журналістам незалежных СМІ ўдалося датэлефанавацца да падпалкоўніка і толькі шчаслівчыкам — атрымаць камэнтар.

Карэспандэнтам «Свабоды» двойчы ўдалося датэлефанавацца да Яўчара, але ў адказ было: «Пішыце афіцыйны запыт». На ніводзін з пісьмовых афіцыйных запытаў «Свабоды» прэс-служба МУС не адказала.

«З Яўчаром ні ў кога з журналістаў супрацоўніцтва не атрымлівалася. Датэлефанавацца яму немагчыма. Папярэднік Георгія Яўчара Канстанцін Шалькевіч хоць чалавек з'едлівы, але адказваў, і хоць нейкі камэнтар удавалася атрымаць», — кажа журналіст «Еўрарадыё» Зміцер Лукашук.

Замест апэратыўнага адказу — «Пішыце афіцыйны запыт»

Ва ўсе часы журналісты спаборнічалі, хто першы перадасць навіну, дакладную, праверaную інфармацыю. І здавалася б, што адмысловыя прэсавыя службы, якія ёсць цяпер у большасці міністэрстваў, ведамстваў, установ, прадпрыемстваў, на тое і ствараліся, каб дапамагчы журналістам кантактаваць з адмыслоўцамі.

Пэўныя прэс-службы працуюць нармальна, адказваюць адразу, даюць камэнтар або просяць некалькі хвілін, каб удакладніць у спецыяліста, і саміператэлефаноўваюць. Аднак часцей за ўсё журналісты чуюць у адказ: «Пішыце афіцыйны запыт».

«Безумоўна, для журналіста, які павінен даць інфармацыю аператыўна, а не праз 15 ці 30 сутак, такі падыход непрымальны. Але для прэс-службы, якая не настроеная супрацоўнічаць з журналістамі, гэта добрая падстава наогул не даваць інфармацыю, бо каму яна будзе патрэбная праз два тыдні?» — кажа Зміцер Лукашук.

Прафэсар павінен атрымаць дазвол ад учорашняга выпускніка журфаку

Натуральна, часцяком журналісты, абмінаючы прэс-службу, звязваюцца наўпрост з адмыслоўцамі, чыноўнікамі, навукоўцамі, бо маюць асабістыя сувязі, кантакты. Але потым у іхніх суразмоўцаў бываюць непрыемнасці.

Так было ў выпадку з вядомым прафесарам-наркалагам, калі той даў каментар карэспандэнту «Свабоды», назваў рэальныя лічбы па праблеме алкагалізму. Прафесар быў выкліканы «на дыван» да намесьніка міністра аховы здароўя. І атрымаў, па-першае, за тое, што «рассакрэціў» рэальную статыстыку, а па-другое, за тое, што гаварыў з журналістам без дазволу прэс-сакратара.



ЗМІЦЕР ЛУКАШУК Фота з асабістага архіву

«Калі ты ў абыход прэс-службы выходзіш на спецыяліста міністэрства ці ўстановы, нягледзячы на тое, што ён адмысловец, займае адказную пасаду, ён кажа, што трэба атрымаць дазвол у прэс-службе на тое, каб з вамі размаўляць, — распавядае Зміцер Лукашук з “Еўрарадыё”. — Гэта выглядае смешна, бо, да прыкладу, прафэсар, свяціла ў сваёй сфэры, павінен атрымаць дазвол ад учорашняга выпускніка журфаку».

«У мяне быў выпадак, калі прадстаўнік дзяржаўнай установы нармальна, годна адказваў на мае пытаньні. Пазней я звярнуўся зноў да яго, а ён кажа: „Ведаеце, пасля мінулай нашай размовы ў мяне былі непрыемнасці, паставілі „на від“, загадалі працаваць з журналістамі толькі праз прэс-службу“», — кажа Зміцер Лукашук.

Паводле закону тэрмін адказу на запыт журналіста — ад 15 да 30 дзён

Старшыня Беларускай асацыяцыі журналістаў Андрэй Бастунец нагадвае, што згодна з Законам аб зваротах грамадзян і юрыдычных асобаў на звароты журналістаў дзяржаўныя органы мусяць рэагаваць цягам 15 дзён.



АНДРЭЙ БАСТУНЕЦ Фота Baj.by

«У выпадках, калі пытанне складанае, неабходная падрыхтоўка, удакладненьне ў іншых інстанцыях, гэты тэрмін можа быць падоўжаны да 1 месяца. Але афіцыйная асоба мусіць паведаміць заяўніку, што яго зварот перасланы, да прыкладу, у іншую ўстанову. Аднак можна абскарджваць у судзе адмову ў адказе, і журналіст можа ставіць пытанне аб прыцягненні да адміністрацыйнай адказнасці службовай асобы, якая своечасова не дала адказу», — кажа старшыня БАЖ Андрэй Бастунец.

Нават калі чыноўнікі праз прэс-службы і даюць пісьмовы адказ, тут таксама ўзнікаюць праблемы, кажа намесніца галоўнага рэдактара газеты «Народная Воля» Марыя Эйсмант, якая нядаўна рабіла журналісцкае расследаванне, звязанае з чыгункай. Прычым супрацоўнікі прэс-службаў Мінгарвыканкаму і Беларускай чыгункі самі імкнуліся як найхутчэй даць камэнтары.

«Але якія гэта былі камэнтары — асобная размова. Напрыклад, з чыноўнікамі Беларускай чыгункі я хацела ўбачыцца сам-насам, паразмаўляць — яны не пагадзіліся і даслалі пісьмовы каментар. Удакладніць штосьці, высветліць — а пытаньняў у мяне было шмат — не атрымалася. Але ўсё роўна прэс-служба паводзіла сябе вельмі прыстойна», — кажа Марыя Эйсмант.

Самыя закрытыя — мінздароўя, мінінфарм, сілавыя ведамствы

Беларуская асацыяцыя журналістаў тройчы апытвала калегаў і рыхтавала рэйтынг прэс-службаў — у 2013, 2015 і 2018 гадах.



БАРЫС ГАРЭЦКІ Фота Таццяны Ткачовай

Намесьнік старшыні БАЖ Барыс Гарэцкі кажа, што апытвалі і журналістаў дзяржаўных СМІ — была высокая

рэпрэзентатыўнасць. І нават прадстаўнікі дзяржаўных мэдыяў скардзіліся, як цяжка і ім атрымаць інфармацыю, нават проста пацвердзіць ці абвергнуць нейкі факт.

«Адмоўнымі лідэрамі застаюцца сілавы блок, апэратыўна-аналітычны цэнтр пры прэзідэнце, міністэрства інфармацыі, міністэрства аховы здароўя. Гэтыя ведамствы традыцыйна выклікаюць нараканні ў журналістаў, прычым не толькі недзяржаўных выданняў. У міністэрстве інфармацыі наагул прэс-службы як такой няма, гэта, як ні парадаксальна, адно з самых закрытых ведамстваў», — кажа Барыс Гарэцкі.

Міністэрства аховы здароўя фігуруе як самае закрытае ва ўсіх трох рэйтынгах БАЖ, нягледзячы на змены прэс-сакратароў і міністра. Замест прэс-канфэрэнцый мінздароўя пачало праводзіць брыфінгі, якія не прадугледжваюць пытанняў-адказаў.

«Асабліва закрыліся чыноўнікі мінздароўя, калі быў скандал з прычыны незарэгістраваных прышчэпак і выйшла расследаванне Сяргея Сацука ў „Ежедневнике“. Такое ўражаньне, што ўсё міністэрства пакрыўдзілася на ўсіх журналістаў. Не ўдаецца нармальна кантактаваць з мінадукацыі, дзяржкантролем. Праблематычна — з прэс-службай КДБ. Сёння там адказваюць, што нічога не ведаюць, а заўтра аказваецца, што не толькі ведалі, але мелі непасрэднае дачыненне», — кажа Зміцер Лукашук.

Станоўчыя адзнакі ў апытаных журналістаў атрымалі міністэрства надзвычайных сытуацый, дзяржаўны памежны камітэт, міністэрства спорту і турызму, міністэрства па падатках і зборах.

На думку намесьніка старшыні БАЖ Барыса Гарэцкага, цяпер у дзяржаве створана жорсткая ідэалагічная вэртыкаль.

«Дзяржава закрываецца ад журналістаў. Гэта кепска. І небяспечна. Бо калі няма дакладнай, праверанай інфармацыі, пачынаюцца фэйкі, домыслы. Інфармацыйная бяспека краіны пачынае кульгаць», — перакананы Барыс Гарэцкі.

By Ina Studzinskaja,
of the Belarusian Service
of Radio Free Europe/Radio Liberty

Press Offices Hide Officials from Journalists

It is becoming increasingly difficult for journalists to verify reports and obtain information from Belarusian bureaucrats. The press offices of ministries and other government agencies often makes journalists' job more difficult and put obstacles to them instead of helping them.

No Reply from Interior Ministry to RFE/RL Belarusian Service's Written Inquiries

In late November, Heorhij Jaučar quit his position as spokesperson for the Belarusian interior ministry.

He had served as spokesperson for less than nine months. Only few journalists of non-state media outlets had managed to reach the lieutenant colonel by phone over that period and only the luckiest ones had succeeded in obtaining comment from him.

RFE/RL correspondents had twice managed to reach Jaučar by phone, but only to hear, "Send an official inquiry."

The press office of the interior ministry had not replied to any of the RFE/RL inquiries.

Instead of Prompt Answer, Journalists Get Proposal to Send Inquiry

Journalists always try to be the quickest to report news and make their news reports accurate.



ZMICER LUKAŠUK
Photo from personal collection

Belarusian reporters thought that press offices, which currently exist at most ministries, organizations, agencies and companies, were established for the purpose of helping them receive and verify information.

Some press offices meet journalists' expectations. They provide immediate replies and comments or ask for a few minutes to consult an expert and then call the journalist back.

But much more frequently, journalists hear, "Send an official inquiry."

Since journalists have to report news promptly and before their competitors, not in 15 or 30 days, it often does not make sense to send an inquiry. But spokespersons who do not want to answer reporters' questions and give them information would only be glad if journalists chose not to send written questions, says Zmicer Lukašuk of European Radio for Belarus.

Prominent Experts Have to Obtain Permit from Fresh Graduates of Journalism Department

Naturally, journalists frequently attempt to obtain information from experts or officials, bypassing press offices if they have personal connections, but such experts and officials then get into trouble.

For instance, this was the case with a well-known narcologist who gave an interview to an RFE/RL reporter and provided real figures with regard to the problem of alcohol abuse. The expert got an earful from a deputy health minister. In particular, he was scolded for disclosing allegedly classified information and talking to the reporter without permission from the spokesperson.

"If you reach officials at ministries or institutions, bypassing press offices, they say that they have to obtain permission from the press office for talking to you," says Zmicer Lukašuk. "This is ridiculous because sometimes big names in their field have to obtain permission from fresh graduates of the journalism department."

"In one instance, I had an interesting conversation with a worker of a public institution, who answered my questions in good faith, but when I contacted him later, he told me, 'After our previous conversation, I got a reprimand and ordered to do my work and contact reporters only through the press office," Lukašuk says.

Regulations Give Government Agencies 15 to 30 Days to Reply to Journalists' Inquiries

Andrej Bastuniec, chairman of the Belarusian Association of Journalists, notes that regulations currently in force require government agencies to reply to journalists' inquiries within a period of 15 days.



ANDREJ BASTUNIEC
Photo from baj.by

"If a question is found complex and requires much time to be answered, this period may increase to 30 days, but a representative of the agency shall notify the journalist of that," Bastuniec says.

Even when officials reply in writing to inquiries through their press offices, there may be problems, says Maryja Ejsmant, deputy editor in chief of the newspaper Narodnaja Volja, who has recently written an investigative story about Belarusian Railroads. Interestingly, the press offices of both the national rail operator and the Minsk City Executive Committee sought to give their comments as soon as possible.

"However, their comments couldn't be called sufficient," Ejsmant says. "I wanted to meet with Belarusian Railroads executives to talk with them in person, but they didn't agree and sent a written comment to me. I still had a lot of questions, but I couldn't get answers."

Health Ministry Is the Most Closed Government Agencies in Belarus

The Belarusian Association of Journalists (BAJ) has three times polled reporters — in 2013, 2015 and 2018 — to find out the press offices of which government agencies are the most closed.

Even journalists employed by state media outlets complain that they often have difficulty obtaining information, confirming or verifying reports.

“The unenviable leading positions in this regard are held the interior ministry, the KGB, the defense ministry, the presidential Operations and Analysis Center, the information ministry and the health ministry,” says BAJ Deputy Chairperson Barys Harecki.



BARYS HARECKI
Photo by Taciana Tkačova

The health ministry is ranked the most closed agency in all the three BAJ polls. In particular, the ministry has ceased to hold news conferences and holds “briefings” for journalists instead, explaining that briefings do not envisage answering questions.

Government agencies reputed for being better than others in this regard include the emergency management ministry, the State Border Committee, the ministry of sports and tourism and the tax ministry.

“The government tries to close itself from journalists,” says Harecki. “This is bad and dangerous because if there is a lack of accurate and verified information, speculation and assumption tend to substitute for facts, which affects news reporting,” Harecki concludes.

After stories by TUT.BY, NAVINY.BY and BBC

New Regulations

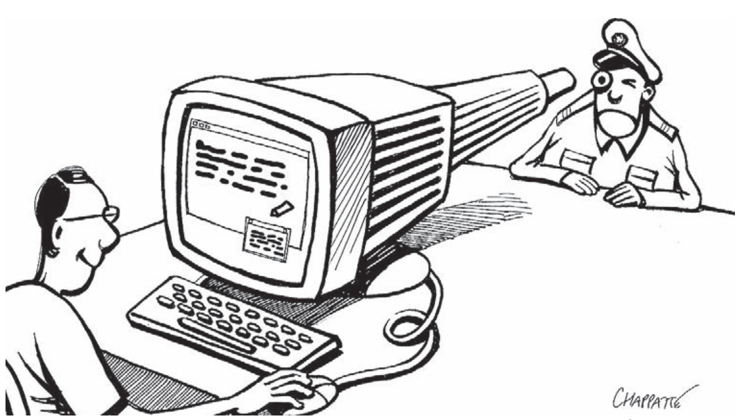


Under regulations that were enacted in Belarus on December 1, only users that have undergone an identification procedure may post comments or other messages on websites and online forums.

Such a procedure is provided for by Media Law amendments that were passed by the National Assembly in mid-July 2018.

In this regard, the Council of Ministers issued a directive specifying the identification procedure for online commentators.

“While the amendments were being developed and after they were formally put up for public discussion, our association and the web community came out against measures that would increase government control over the Internet, which was already tight, and also against the introduction of an identification procedure,” says Andrej Bastuniec, chairman of the Association of Belarusian Journalists (BAJ). “We submitted our suggestions to both the House of Representatives and the Council of Ministers, but they were completely ignored.”



by Patrick Chappatte

Tighten Control over Online Comments

Identification of Commentators

Under the new regulations, all online commentators must enter into a user's agreement with the owners of the websites on which they would like to post their messages.

Something similar existed in the past and was called forum rules, which users were required to accept in order to register their accounts, but now commentators must give the website their mobile phone numbers in order to activate their accounts with a code sent to their phones via SMS.

Commentators are prohibited from using one phone number to register more than one account. Since it is permitted to use foreign phone numbers, Alyaksej Kazliuk, an expert on personal data protection with a human rights organization called Human Constanta, believes that some Belarusian commentators will take this opportunity to complicate their identification.

Users' passports, i.e. their phone numbers and other personal ID data, must be stored by websites on servers located in Belarus and provided to the police, the Investigative Committee, prosecutor's offices, the State Control Committee, courts and tax authorities on request.



The Council of Ministers directive says that apart from mobile phone numbers, "other data and technical means" may be used in for identifying users.

However, Deputy Information Minister Pavel Liochki explained that SMS identification was the main method proposed by the government for identifying online commentators.

Website owners can identify a user through social media and email accounts, but this does not guarantee them against being punished.

Possible penalties

Belarus' Criminal and Civil Offenses Code provide for penalties for publishing information prohibited by law, including posts that contain calls for "extremist activity," incite racial, ethnic or religious enmity and so on.

Even before the new regulations came into force, website owners had been required to provide law enforcers with data about commentators publishing prohibited information.

Now a media organization may be given a penalty of up to 200 times the Base Rate (25.5 rubels at present) and have access to its website blocked for distributing prohibited information, including for user-generated content.

Access to a website may be blocked for allowing unidentified users to post their messages. Each such instance may lead

to a formal warning from the information ministry. Three warnings give the ministry grounds to close down the site.

The identification requirement applies to websites and forums in the .BY and .БЕЛ (.BEL) domains.

Experts believes that the new regulations will not apply to websites beyond these domain zones, including social media sites, as no social network providers are located in Belarus.

Website owners' apprehensions

Who will be held responsible if a person who gives one phone number for identification but then changes his phone number, or uses someone else's phone number to register his account?

How should website owners meet the requirement to fulfill the information ministry's requests for information about users if authorities have not yet established a procedure for this?

Website owners want to abide by laws — they have no alternative — but they have not yet been given answers to these and other questions.

The owners of websites and forums expect comments to decrease in number.

Some websites have chosen to simply close their comments sections.

"The vagueness of the new regulations causes website owners to worry about how they would be applied in practice," says Mikalaj Kazlovič, editor in chief of onliner.by.

Lawyers Are Always on the Road

It is safe to say that every professional journalist like traveling. Trips are an opportunity to meet new people, learn interesting facts and gain experience. Legal experts working for the Belarusian Association of Journalists (BAJ) also like to travel, but their roads are determined by the BAJ Charter, which specifies the purposes of our organization.



By Alieh Ahejeŭ, deputy chairperson of the Belarusian Association of Journalists

One of the purposes is to create conditions for ensuring freedom of expression and media freedom and the right to freely receive, keep and distribute information.

The list of the main functions of the Association's lawyers includes protecting the rights and legitimate interests of members of our non-governmental organization and act on its behalf in its relations with Belarus' government agencies and international organizations.

There are currently 14 of us, the BAJ lawyers. We work in each of the six regional capitals and the city of Minsk, as well as in some districts.



We have developed an action plan for 2019 and identified four major priorities for us.

These priorities include:

- **Protecting journalists;**
- **Deepening journalists' knowledge of laws;**
- **Expanding the freedom of expression zone;**
- **Developing the potential of BAJ lawyers.**

The priorities clearly indicate what we have to do.

Unequal Struggle

Our mission of protecting journalists required us to work hard in 2017 and 2018. The spring of 2017 saw the largest number of violations of freedom of expression in six years. In 2018, Belarusian journalists continued to be punished with fines for working for foreign media outlets without accreditation. The year also saw a notorious "BELTA" case against a large group of journalists.

Owing to this, our lawyers had to represent journalists in court, write and file complaints against police officers and write and file appeals against court decisions.

Unfortunately, only in rare instances, we succeeded in achieving a rightful outcome. Officials and judges ignored our arguments, although they seemed persuasive. The reason appears to be that most of the cases were politically motivated, which meant that any arguments based on laws would hardly work. However, everyone who sought legal assistance got it.

There were some lucky days when our lawyers managed to prevent journalists from being convicted and fined. We took advantage of mistakes by authorities in cases against Alina Skrabunova, Maryna Drabyšeŭskaya, Kastus Žukoŭski, Larysa Ščyrakova and some other journalists.

Our lawyers represented BAJ members in civil libel cases and, and they sometimes managed to win. For instance, in 2018, a district court judge ruled against businessman Arkadz Izrailevič in his suit against the private newspaper Novy Čas (New Time) and its staff writer Dzianis Ivašyn. Izrailevič sought 40,000 rubels (some $20,000) in damages from the newspaper and 1,000 rubels from Ivašyn over the journalist's stories linking him to a restaurant at Kurapaty, a Stalin-era mass execution site just outside Minsk.

The businessman claimed that the newspaper had falsely alleged that he and his company called IB Ltd. were the "end beneficiaries of the construction of the Poyedem Poyedim restaurant at Kurapaty."

The judge rejected Izrailevič's suit and ordered him to pay 600 rubels to the defendants as compensation for the attorney's fee in the case.

In addition, our lawyers filed complaints and appeals with government agencies to defend freedom of opinion and the right to receive information.

We also helped journalists file complaints with international quasi-judicial bodies. Most frequently, we helped send individual communications alleging violations of freedom of expression to the UN Human Rights Committee and to OSCE and UN special rapporteurs. A total of 22 communications were filed in 2017.

Within the framework of our program aimed at deepening journalists' knowledge of laws, we conducted training seminar, provided advice and wrote articles on legal subjects for media outlets and gave interviews to Belsat TV and radio stations.

Our lawyers participate in training seminars on regulations governing journalists' work and the legal security of journalists in order to help media workers be aware of their rights and know what to do if their rights are violated.

Little Strokes Fell Great Oaks

Realizing the importance of our efforts to expand the zone of freedom of expression, we try to communicate our position and suggestions to members of the central government.

Following our meeting with the then information minister, Lilija Ananič, we got a written reply saying that the ministry "took note" of our proposals.



За прафесійную дзейнасць журналістаў ў Беларусі караюць штрафамі. Самыя вялікія штрафы ў 2018 годзе атрымалі Кастусь Жукоўскі, Вольга Чайчыц, Кацярына Андрэева, Алесь Ляўчук і Андрэй Толчын.

Journalists in Belarus are punished with fines for their professional activities. The largest total amounts in fines were imposed last year on Kastus Žukoŭski, Volha Čajčyc, Kaciaryna Andrejeva, Alies Liaŭčuk and Andrej Tolcyn.

Wes sent our suggestions regarding Media Law amendments to the House of Representatives in 2018. Some of the suggestions, although very few, were reflected in the final version of the bill. In particular, on our initiative, the bill was amended to provide for a procedure to appeal authorities' decisions to block websites.

Unfortunately, our written appeals to government agencies and our personal meetings with officials cannot be called effective. Although our arguments are backed by international standards and Belarus' international commitments, bureaucrats are reluctant to accept our suggestions. However, we are not going to give up. As the saying goes, "Little strokes fell great oaks."

In order to be heard, we have to communicate with the Belarusian authorities via international organizations. BAJ lawyers compile reports on the media situation in Belarus for UN institutions in cooperation with other civil society organizations. As a result, in November 2018, the Belarusian authorities received recommendations from the UN Human Rights Committee for improving the media freedom situation, which were based on our suggestions.

During our rare meetings with officials, we demand that these recommendations be implemented.

We Teach and Are Taught

Our international ties and the situation in the country require us to deepen our knowledge, and therefore we always remember the need to enhance our professional skills. The BAJ's lawyers are taught international law within the framework of the Association's program aimed at developing lawyers' potential. This training activity is carried out with assistance from our partners: Vilnius-based Barys Zvozskaŭ Belarusian Human Rights House, which runs a program called "International Law in Defense of Public Interests," and the Kyiv Media Law Institute, which annually hosts an international summer school for East European countries.

We hold our own training seminars twice a year to study new practices and analyze Belarusian regulations regarding freedom of expression.

We hope that our efforts will help bring forward the time when there are no obstacles and barriers to free journalism, and that the time will eventually come for people to be able to fully exercise their right to freely receive and distribute information, without which a democratic and rule-of-law state cannot exist.

The BAJ's "Relay of Good Deeds" campaign, which has been run for two years now, has been joined by the organization's members in dozens of localities across the country.

Within the framework of the campaign, journalists clean and refurbish memorials, hold literary contests, organize folklore festivals and raise money for charitable purposes.



Гарадзенская суполка БАЖ сумесна з Цэнтрам «Пара» і тайм-кафэ «Партал» правялі дабрачынны вечар у падтрымку чатырохгадовай Паліны Амельчанка, якая хварэе на рак

The Hrodna branch of the BAJ, the Para Center and Portal Time Café hold a fundraising evening in support of Palina Amielčanka, a four-year-old cancer patient



Слонімскія журналісты павіншавалі хлопца-вазочніка з днём народзінаў.

Фота Таццяны Плахетка

Journalists in Slonim deliver birthday gifts to a boy in a wheelchair.

Photo by Taciana Plachetka





Photo by Aliaksandr Zyankoŭ







БЕЛАРУСКАЯ АСАЦЫЯЦЫЯ ЖУРНАЛІСТАЎ

The BAJ annually holds a festival called BAJynki. This is a festival of fun and laughter. Freelancers and journalists of non-state media outlets gather together in the countryside for three days of games and activities.

Participants are divided into two teams. The teams create a motto and gave a presentation, and then compete in contests, games and sports. Apart from this, experienced journalists conduct seminars for their young colleagues.

In the night, journalists gather around a campfire. They learn to dance traditional Belarusian dances and sing folk songs.

A jury announces the winners and presents prizes. On the final day of the festival, all participants elect a Miss and Mr. BAJynki.

